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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/045,893	01/12/2002	Koteshwerrao Adusumilli	42390P12318X	3131

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09/29/2005

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EXAMINER

BROWN, CHRISTOPHER J

ART UNIT	PAPER NUMBER
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2134

DATE MAILED: 09/29/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/045,893

Applicant(s)

ADUSUMILLI, KOTESHWERRAO

Examiner

Christopher J. Brown

Art Unit

2134

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 5 August 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 33-52 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 33-52 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>7/12/2005</u> . | 6) <input type="checkbox"/> Other: _____ |

AT

DETAILED ACTION

Information Disclosure Statement

1. Information Disclosure Statement filed 7/12/2005 has been considered.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 42 and 50 recite the limitation "the at least one wired client device, and the at least one wireless client device" in line 1. There is insufficient antecedent basis for this limitation in the claim.

Claim 46 recites the limitation "the validity period" in line 2. There is insufficient antecedent basis for this limitation in the claim.

Claim 49 recites the limitation "the received client digital certificate" on line 3. There is insufficient antecedent basis for this limitation in the claim. The examiner believes the statement should read "the received client digital signature".

Claims 40, and 48 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The indicated claims state "logic to determine whether the requesting client device is a wired client device or a wireless client device *in*

dependence upon the determined security protocol. The examiner believes the intention of the applicant was “dependent upon the determined security protocol.” Appropriate correction is required.

Claims 43-49, and 51-52 are rejected due to their dependence on rejected independent claims 42, and 50.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

Claims 33-35, 37, 38, 41-46, 49, 50, 52 are rejected under 35 U.S.C. 102(e) as being anticipated by Davis US 6,367,009.

As per claims 33, 42, and 50, Davis teaches receiving data from at least one wired client device and one wireless client device each requesting a secure connection to a server, (Col 7 lines 43-53, Fig 2., Col 9 lines 33-35 Fig 3). Davis teaches that the client is authenticated in establishing a connection with the wired or wireless device, (Col 11 lines 40-43).

As per claim 34, Davis teaches that the device (MTS) has an interface to transmit data and to receive data from a server (ETS), (Col 4 lines 52-57, Fig 6).

As per claims 35 and 43, Davis teaches communicating with wired, and wireless devices (Fig 2). It would be inherent to use a wired communication protocol with a wired device, and a wireless protocol with a wireless device.

As per claims 37 and 44, Davis teaches determining if the client has requested authentication of the server and transmitting the server digital certificate for the server, (Col 17 lines 1-14).

As per claims 38, 45, and 52, Davis teaches requesting a digital certificate of the client and authenticating that certificate, (Col 11 lines 29-42).

As per claims 41, and 49, Davis teaches receiving a digital signature from the client device and validating said signature, (Col 11 line 40, Col 12 lines 53-56).

As per claim 46, Davis teaches verifying the validity period of the certificate, (Col 12 lines 15-20).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 36, 40, 48, and 51 are rejected under 35 U.S.C. 103(a) as being unpatentable over Davis US 6,367,009 in view of Gast US 2003/0046532.

As per claims 36, 40, 48 and 51, Davis teaches using the SSL or TLS protocols, (Col 10 lines 1-5). Davis does not teach WTLS or determining the client type dependent on protocol.

Gast teaches the use of WTLS and that protocol types may be associated with wired and wireless networks, [0030].

It would have been obvious to one of ordinary skill in the art to modify the system of Davis with the WTLS protocol of Gast because it improves the wireless security of the system.

Claims 39, and 47 are rejected under 35 U.S.C. 103(a) as being unpatentable over Davis US 6,367,009 in view of Hajmiragha US 6,289,460

As per claims 39, and 47, Davis does not teach using a URL with a digital certificate.

Hajmiragha teaches sending a link, rather than the actual digital certificate, (Col 4 lines 40-43).

It would have been obvious to one of ordinary skill in the art to use the system of Davis with the link of Hajmiragha, because the link prevents interception and modification of a digital certificate between parties.

Conclusion

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Christopher J. Brown whose telephone number is (571)272-3833. The examiner can normally be reached on 8:30-6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gregory Morse can be reached on (571)272-3838. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Christopher J. Brown

9/23/05



GREGORY MORSE
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